

EXHIBIT 81
FILED UNDER SEAL

GOVERNMENT OF THE UNITED STATES
VIRGIN ISLANDS,

Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,

Defendant/Third-Party Plaintiff.

UNITED STATES
DISTRICT COURT
FOR THE
SOUTHERN DISTRICT
OF NEW YORK

Case No. 22-cv-10904-JSR

JPMORGAN CHASE BANK, N.A.,

Third-Party Plaintiff,

v.

JAMES EDWARD STALEY,

Third-Party Defendant.

**Expert Report of Special Agent Joseph Fonseca, FBI (Retired)
on behalf of
JPMorgan Chase Bank, N.A.**

June 23, 2023

programs designed to identify the transfer of child sexual abuse material, additionally known as child pornography.

8. I have investigated cases involving the transport and exploitation of women and children across the U.S. border, state lines, and in other countries. I have had the opportunity to assist in the prosecution of more than 100 sexual exploitation cases, with many culminating in trials.
9. I have trained with numerous foreign law enforcement officers and learned of different trafficking techniques to gain an understanding how certain trafficking crimes and crimes against children can be investigated and prosecuted in the U.S. I have investigated these trafficking and crimes against children cases with the assistance of financial records obtained from businesses (hotels, car rental companies, apartment complexes, etc.), financial institutions, money providers (companies such as Western Union and MoneyGram), and prepaid debit cards (such as GreenDot).
10. In 2021, I finished my FBI career as a Counselor for new agent trainees at the FBI Academy in Quantico, Virginia.
11. I am being compensated for my review, analysis, and time in this case at a rate of \$125.00 per hour.
12. My compensation is not contingent upon offering any specific opinions or on the outcome of this matter.

Summary of Opinions:

13. I was engaged by Wilmer Cutler Pickering Hale and Dorr LLP (Counsel), counsel for JPMorgan Chase Bank, N.A. (JPMC or the Bank) to provide an expert opinion and potentially expert testimony in the matter of *Government of the United States Virgin Islands v. JPMorgan Chase Bank, N.A.*, No. 22-cv-10904 (JSR) (S.D.N.Y.) (the Epstein Litigation).
14. I have reviewed the Second Amended Complaint filed by the Government of the United States Virgin Islands (USVI) in this case and understand that it alleges that JPMC intentionally obstructed the federal government's enforcement of the Trafficking Victims Protection Act, 18 U.S.C. § 1591, against Jeffrey Epstein [REDACTED] and "permitting" Epstein to withdraw large amounts of cash from his accounts.¹ Counsel requested that I provide an opinion regarding [REDACTED].
15. In my opinion, based on my review of the materials identified in Appendix B to this Report and my years of experience investigating crimes against children and sex trafficking cases as a Special Agent for the FBI, one or more additional SARs related to Epstein filed by JPMC would not have resulted in an earlier arrest of Epstein nor would

¹ Second Amended Complaint, ¶¶ 147-168, *Government of the United States Virgin Islands v. JPMorgan Chase Bank, N.A.*, No. 22-cv-10904 (JSR) (S.D.N.Y.), Dkt. No. 120.

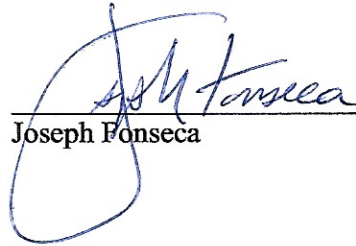
[REDACTED]
[REDACTED] . My conclusion is informed by the allegations about Epstein's conduct, particularly the allegations about his use of relatively small amounts of cash to compensate women for sexual experiences, the evidence available to investigators in their investigation into Epstein from 2005-2008, publicly available information about Epstein that law enforcement would have been aware of, including allegations in the media about his conduct, [REDACTED]
[REDACTED]

16. To begin with, over the course of my career, I have never relied on a SAR while investigating a person on charges of sex trafficking. The simple reason for this is due to the victim-centered approach the FBI utilizes when conducting an investigation into sex trafficking.
17. The victim-centered approach to investigating sex trafficking cases focuses on making sure the victim feels safe, secure, and stable. Once victims are safely recovered and supported, they are then able to provide the most important piece of evidence in a sex trafficking case – their testimony. Victim testimony is essential to describe the manner and method of a victim's trafficking, the relevant details of their exploitation and abuse, and anything of value given to or received by any person for a sex act by the victim. In the typical sex trafficking case, investigators would then work to find the best evidence to corroborate the various aspects of the victim's testimony in order to prove sex trafficking-related charges.
18. Based on my experience as an FBI SA, SARs are not useful in sex trafficking or crimes against children investigations because they are unlikely to directly corroborate a victim's testimony or provide evidence of the sex trafficking of a victim. Without direction from a victim alleging the existence of a trafficking operation and describing the manner and method of payment in a way that reasonably matches the transaction activity that potentially could be flagged in a SAR, law enforcement would be unable to determine whether a cash or wire transaction that may be reported in a SAR was related to any trafficking activity. [REDACTED]
[REDACTED]
19. It is also my opinion that investigators have an obligation to affirmatively recover evidence they believe is relevant to their investigation. As such, if the FBI had continued to investigate Epstein's conduct following his Florida state conviction in June 2008, and believed that further evidence of his financial activity was relevant to that investigation, there was enough information available to law enforcement both [REDACTED]
[REDACTED] and in the public record to allow investigators to evaluate Epstein's activity and, more importantly, to know that they should look to JPMC as a source of additional financial information if they felt it was necessary. Specifically, the FBI would have known at all times after 2008 that it could send a

² I have also reviewed, relied upon, and agree with the conclusions in the expert report of Teresa A. Pesce.

Signature

I declare, under the penalty of perjury, under the laws of the United States of America, that the foregoing is true and correct. Signed this 23rd day of June, 2023:



Joseph Fonseca